



THE STATE BAR OF CALIFORNIA

THE COMMITTEE OF BAR EXAMINERS

OFFICE OF ADMISSIONS

NOTICE RE OPPORTUNITY TO COMMENT ON RELEASE OF CONFIDENTIAL BAR EXAMINATION APPLICANT DATA

The California State Bar's Committee of Bar Examiners recently denied a request from Prof. Richard Sander and his research team for data regarding bar examination applicants' race, gender, bar examination performance, LSAT scores, law school grade point averages and undergraduate grades, which is collected by the Committee of Bar Examiners with the understanding that it will be used only by the Committee. The research team wanted to use the information to support Prof. Sander's "mismatch theory," which suggests that affirmative action programs in some law schools affect minority law students negatively.

The Committee's primary reason for denying the request was that applicant information is collected with the understanding that it will only be used by the Committee for purposes related to the bar examination and the publication of general examination statistics. The Committee generally does not release applicant data to third parties in the absence of customized individual signed releases.

The State Bar's Board of Governors will be reviewing the Committee's decision not to release confidential bar examination applicant data during its November 8 and 9, 2007 meeting. In particular, the Board Committee on Regulation, Admissions and Discipline Oversight will be discussing the matter during its meeting, which is scheduled to begin at 2:30 p.m. on Thursday, November 8. The meeting will be held in the State Bar's Los Angeles offices located at 1149 South Hill Street. Comments during the meeting by interested parties will be permitted. Those interested in speaking to the Board Committee about this issue should contact Barbara Farrenkopf at Barbara.Farrenkopf@calbar.ca.gov no later than November 2, 2007, so the appropriate logistics can be arranged.